

TITLE 17. TRANSPORTATION**CHAPTER 2. DEPARTMENT OF TRANSPORTATION
AERONAUTICS DIVISION**

(Authority: A.R.S. §§ 28-1707 and 28-1722)

ARTICLE 1. GENERAL PROVISIONS

Article 1, consisting of Sections R17-2-01 through R17-2-06, repealed effective May 2, 1990; new Article 1, consisting of Sections R17-2-101 adopted effective May 2, 1990.

Section

R17-2-101. Definitions

**ARTICLE 2. GRAND CANYON NATIONAL PARK
AIRPORT - OPERATION AND MANAGEMENT**

Article 2, consisting of Sections R17-2-201 through R17-2-204 adopted effective May 2, 1990.

Section

R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport

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ARTICLE 1. GENERAL PROVISIONS**R17-2-101. Definitions**

In this Chapter, the following definitions shall apply:

1. "ADOT" means the Arizona Department of Transportation,
2. "After-hours" means hours beyond those determined by airport management as appropriate to meet the seasonal demand.
3. "Airport" means the geographical boundaries of the property owned by the Arizona Department of Transportation, Aeronautics Division, and known as the Grand Canyon National Park Airport.
4. "Airport business" means any business venture operating inside the boundaries of the Grand Canyon National Park Airport or relying on business generated as a result of the presence of the airport, its customers, or employees,
5. "Airport management" means those persons designated by the ADOT Aeronautics Division Assistant Director as responsible for the management of the airport and its operations.
6. "Apron" means an artificially surfaced area of ground designed and used for the parking and storage of aircraft at an airport.
7. "Commercial aviation" means the scheduled or non-scheduled transportation by air of persons or property for compensation or hire under FAA federal aviation regulations.
8. "Commercial ground transportation" means the scheduled or non-scheduled transportation, exclusive of by air, of persons or property for compensation or hire to and from the airport.
9. "Commercial fuel handling" means the sale, storage, transportation and/or distribution of fuels for compensation.
10. "Direct costs" means labor, materials and variable overhead expenses which are directly dependent on the operation.
11. "Direct phone" means telephone service directly to hotels, motels or other firms.
12. "Director of Aeronautics" means the ADOT Assistant Director of Aeronautics.
13. "Disabled aircraft" means any aircraft which requires assistance to move from any position on the runway, taxiway or apron areas of the airport.
14. "Disabled aircraft support equipment" means any equipment used to assist aircraft movement from any position on the runway, taxiway or apron areas of the airport.
15. "Division" means the Aeronautics Division of the Arizona Department of Transportation.
16. "FAA" means Federal Aviation Administration of the United States Department of Transportation.
17. "Fixed base operator (FBO)" means an airport business which is providing airport user services, including but not limited to commercial fuel handling, within the boundaries of the Airport.
18. "Fuel" means all flammable fluids composed of a mixture of selected hydrocarbons manufactured and blended for the purpose of aircraft, railroad or motor vehicle propulsion.
19. "Fuel supplier" means any airport business that dispenses fuel to retail customers or into vehicles owned and/or operated by that business,
20. "Lease" means a contract granting use or occupation of property during a specified period in exchange for a specified compensation.
21. "License Agreement" means a contract granting use or occupation of a portion of the terminal or other state-owned building in exchange for a specific compensation.
22. "Maximum landing weight" means the maximum weight at which an aircraft may normally be landed as determined by the manufacturer.
23. "NFPA" means National Fire Protection Association.
24. "Permittee" means any person, partnership, association, firm or corporation, owning or operating a business on the airport under a use permit.
25. "Public use terminal" means any structure designated for use by the general public and not specifically restricted or dedicated to any one airport business.
26. "Retail sales" means all sales activities on the airport not directly related to the transportation of persons or property. Sales include but are not limited to food, beverages, souvenirs, sundries, books, newspapers, and magazines.
27. "Rotorcraft" means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.
28. "State" means the State of Arizona or its agents.
29. "Self fuel dispensing/handling" means non-commercial fuel delivery to an aircraft, provided by the owner or operator
30. "Taxiway" means an artificially surfaced strip of ground designed and used at an airport for the ground movement of aircraft.
31. "Terminal space" means any area within a structure designated as a terminal and used by the public for transitioning between aircraft and ground transportation.

32. "Use permit" means a contract granting the privilege to conduct commercial operations at the airport in exchange for a specific compensation.
33. "Vehicle" means any equipment used for transporting persons or property other than aircraft.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective March 17, 1995 (Supp. 95-1).

**ARTICLE 2. GRAND CANYON NATIONAL PARK
AIRPORT OPERATION AND MANAGEMENT**

R17-2-201. Fees and Charges for Services and Use of Facilities and Equipment at the Airport

A. Except as provided in subsection (B), the following fees and charges shall apply to all tenants and users of the airport and its facilities:

1. Landing fees - charged for all commercial flight operations, including but not limited to air carrier, air taxi, air tour, and air freight, landing at the airport.
 - a. Single-engine fixed wing, \$1.00 per 1,000 lbs., multi-engine fixed wing, or part thereof, of FAA- and rotorcraft certified maximum landing weight
 - b. Aircraft parking fees
 - i. Single-engine fixed wing and rotorcraft \$30.00 per month if parked in designated public tie-down areas
 - ii. Multi-engine fixed wing \$40.00 per month if parked in designated public tie-down areas.
 - iii. The daily rate shall be 1/10 the applicable monthly rate.
 - c. Terminal fees
 - i. Terminal counter space \$20.00 per sq. ft. per year
 - ii. Terminal office space \$15.00 per sq. ft. per year
 - iii. Advertising space \$2.00 per sq. ft. (sign size), per month, for terminal and counter areas. \$5.00 per sq. ft. (sign size), per month, for outdoor sign space
 - iv. Direct phone space \$20.00 per unit monthly
 - v. Retail sales space \$20.00 per sq. ft per year
 - vi. Public address system \$25.00 per month subscription
 - vii. After-hours terminal use \$150.00 per hour, or part thereof in excess of 10 minutes, after scheduled terminal closure
 - d. Fuel flowage fees \$0.03 per gallon of fuel pumped
 - e. Equipment use fees
 - i. Auxiliary power unit \$10.00 per use
 - ii. Aircraft tug \$20.00 per use
 - iii. Portable heater \$10.00 per use

- iv. Passenger stairs \$10.00 per use
- v. Non-aviation equipment Per established fees as part of the ADOT Equipment Rate Schedule
- f. Miscellaneous fees
 - i. After-hours runway inspection for commercial use permittee \$50.00 per landing/take off; or, if on standby, for each 30-minute increment
 - ii. Storage of crash debris \$5.00 per sq. ft. per month or increment of a month beyond 72 hours
 - iii. Clean up of hazardous Direct costs materials
 - iv. Repairs of damage to Direct costs airport property
 - v. Disabled aircraft assistance Direct costs
 - vi. Disabled aircraft support Direct costs equipment
2. Ground transportation fees. All commercial ground transportation use permit holders shall be required to report and pay monthly fees of \$0.30 per passenger transported either to or from the airport.
3. Vehicle parking fees. The airport management may designate restricted parking areas within the airport boundaries and charge the following fees:
 - a. Ground transportation use permit parking \$5.00 per vehicle per day or any portion of any 24-hour period. \$50.00 per vehicle per month in designated areas
 - b. Rental car parking Auto storage, in a designated area, as set forth in the use permit terms. Overnight parking, commercial vehicles in excess of designated number as specified by License Agreement or Use Permit, and private vehicles, \$5.00 per vehicle per 24-hour period or \$50.00 per vehicle per month in designated area.
 - c. Private or commercial vehicles
4. Terminal retail sales of goods or services. Fees shall be a percentage of gross receipts after federal, state and local taxes, as defined in A.R.S. § 42-1301(7), of all retail sales, except as negotiated in each use permit. Use permits shall be based upon highest and best bids but shall contain provisions for not less than the percentage set forth in this schedule:
 - a. Air tours originating at the airport 7%
 - b. Food and beverage 15%
 - c. Rental of personal property, 15%

including but not limited to
car rentals

d. Retail sales of merchandise 15%

e. Personal services businesses 15%

including but not limited to
shoe shine, beauty and
barber shops and others

f. Other As negotiated

5. Use of other facilities outside the terminal As negotiated

B. The fees and charges established in subsection (A) do not apply to:

1. The use of leased facilities pursuant to an airport ground lease.

2. The use of airport facilities, equipment, or services included in an airport ground lease in effect on July 1, 1993.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2). Amended effective February 17, 1994 (Supp. 94-1).

R17-2-202. Airport use permits

A. A user operating commercially at the airport shall first obtain a use permit or shall be subject to a \$100.00 fine for each infraction. Use permits shall be required for the following activities:

1. Commercial aviation
2. Commercial ground transportation
3. Commercial fuel handling
4. Airport business

B. An aircraft owner or operator desiring to dispense fuel to his own aircraft must first obtain a self fueling/handling permit or shall be subject to a \$100.00 fine for each infraction.

C. Use permits shall contain, as a minimum, the following requirements:

1. Minimum insurance in the amount as set forth by the Department of Administration Risk Management, naming the state as co-insured;
2. Billing, payment and audit requirements and the penalties for non-compliance;
3. The reporting of data in a timely manner upon request of the airport management or other agency. This data may include, but not be limited to:
 - a. Gross receipts,
 - b. Aircraft landings,
 - c. Aircraft tie downs,
 - d. Equipment utilized,
 - e. Enplanements,
 - f. Gallons and types of fuel pumped,
 - g. Passengers transported to and from the airport;
4. A list of all employees having access to airport security areas and any changes in such a list. In addition, the FBO shall provide verification of compliance with required employee security checks in accordance with federal, state and local rules, regulations and policies governing the use of the airport.
5. Evidence of compliance with all other jurisdictions' requirements for permits, licenses, insurance and certificates; and
6. Detailed descriptions of any space within the public use terminal assigned to the commercial user and provisions describing allowable uses for the space as well as minimum expected maintenance of the facilities provided.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2).

R17-2-203. Minimum requirements for fixed base operators (FBO)

A. Prior to entering into a contract and prior to commencing any operation on the airport as a fixed base operator, each FBO shall:

1. Hold a commercial fuel handling use permit.
2. Submit to the Assistant Director, a verified statement containing a detailed description of the scope of the intended operation. This statement shall:
 - a. Include the means and methods to be employed to accomplish the aviation operation, including how operating standards and requirements shall be met.
 - b. Include the nature of ownership and responsible parties. If the responsible party is:
 - i. An individual, include the person's name and address;
 - ii. A partnership, include the names and addresses of all the partners;
 - iii. A corporation, association or other organization, include the names of the president, vice president, secretary and managing officer or managing employee.
3. Have had a minimum experience of three years during the past five years managing a fixed base operation on an airport.
 - a. This experience requirement applies either to:
 - i. The individual owner, if a sole proprietorship;
 - ii. One of the partners, if a partnership;
 - iii. The permanent full-time managing officer or employee, if a corporation.
 - b. If the full-time management responsibilities and duties of the organization are shared by more than one individual, then their collective management experience may apply provided that such experience shall have been in each particular service or operation proposed.
4. Provide to the Assistant Director a complete certified financial statement by an independent accounting firm.
5. Provide the Division evidence of current public liability insurance coverage in the minimum amount as set forth by the Department of Administration Risk Management, naming the state as co-insured. Hangarkeeper's liability insurance may be required if aircraft are on the premises for safekeeping, storage, service or repair.
6. Submit a verified statement that there is a commitment from a fuel supplier to supply fuel. Such commitment shall specify the types and volumes of fuel available to the FBO.

B. Upon commencing operations, a fixed base operator shall:

1. Be required to make available to the Division a financial statement annually, at the close of the state's fiscal year.
2. Obtain and keep current during the term of its use permit all federal, state, and local licenses required and shall comply with all federal, state and local rules, regulations and policies governing the use of the Airport.
3. Be available as required by airport management, either individually or in connection with the other FBO's situated at the airport, to provide service and to respond to emergencies during after-hours.
4. Report all data pertaining to gallons and types of fuel pumped. The FBO shall report other types of information as required by additional use permits. Reports shall be provided in a timely manner to the airport management and other requesting agencies.
5. Report all activity for which fees are established and pay all fees before the tenth calendar day of the month.

6. Retain all financial records at the airport. The FBO shall maintain those records for five years and comply with all auditing requirements set forth in the use permit.
7. Provide airport management with a list of all employees having access to airport security areas and notify airport management of any changes. In addition, the FBO shall provide verification of compliance with required employee security checks in accordance with federal, state and local rules, regulations and policies governing the use of the airport.
8. Comply with all FAA and NFPA inspection criteria. The FBO shall provide airport management with a copy of their written fueling operations procedures, safety and inspection manuals and records, as required by FAA and NFPA regulations. The FBO shall have an approved, written, spill-prevention contingency and control plan which meets all applicable standards.

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2).

R17-2-204. Airport ground leases

- A. The Division may enter into leases for airport property for the operation of businesses which foster the development of the airport.
- B. All leases for property, other than the existing or any future public use terminal facility, shall be based on a competitive bids process as specified in A.R.S. § 41-2534. At a minimum, leases shall be based on a price per square foot of property as valued through an appraisal of that property. In addition, leases shall contain provisions for not less than the percentage set forth in the following schedule:
 1. Food and beverage - 5%
 2. Rental of personal property - 10%
 3. Retail sales of merchandise - 10%
 4. Other - As negotiated

Historical Note

Adopted effective May 2, 1990 (Supp. 90-2).

R17-2-205. Airport Parking

This Section shall apply to all persons or entities who use the airport and its facilities:

- A. No parking zones. No one may park a vehicle in areas designated as no parking zones. No parking zones shall be designated by signage or red-painted curbs.
- B. Driving or parking a vehicle in any area on property which has been closed by the use of barricades, chains, or other traffic control devices is prohibited. On special occasions, and in emergencies, parking limitations may be imposed by Airport Management as required by the particular circumstances.
- C. Parking a vehicle on pedestrian paths, sidewalks, or safety zones is prohibited.
- D. Parking a vehicle in such a location as to obstruct another parked vehicle is prohibited.
- E. No camping is allowed on the airport property except in designated areas.

Historical Note

Adopted effective March 17, 1995 (Supp. 95-1).

R17-2-206. Airport Impoundment Procedures

This rule shall apply to all persons or entities who use the airport and its facilities:

- A. The Airport Management may remove and impound any aircraft or other vehicles found on state property:
 1. Parked in an area designated and posted as restricted area;
 2. Parked in violation of these rules;
 3. Abandoned on airport property for more than 14 days without prior notification and permission of Airport Management;
 4. Whose owner has failed to pay parking fees for 15 days after the date of the first statement that a parking fee is due. The parking statement shall be attached to the aircraft or other vehicle;
 5. Parked in such a way as to constitute a hazard or impediment to the general public or to the movement and operation of aircraft or emergency equipment.
- B. At the time of removal for impound, a Notice of Impound shall be posted by airport officials as near to the location from which the aircraft or vehicle was removed as is practical, and a copy of the notice shall be mailed by airport officials to the address listed on the aircraft, or vehicle registration in the aircraft or vehicle, or in the airport records. If no address is known to the Airport Manager, the notice shall be published twice in a daily newspaper with a general circulation in Coconino County, within a period of ten working days from time of impound. The notice shall describe the aircraft or vehicle, the parking violation requiring impoundment, the location at which the aircraft or vehicle is being impounded, the name and address of the person to see about the impound, and the owner's right to file a request for a hearing under subsection (D) of this Section.
- C. The owner of the aircraft or vehicle shall be responsible for costs involved in removing, impounding, and storage of such aircraft or vehicle, and any costs incurred by publication of the Notice of Impound. The Airport Manager shall have any vehicle towed by a tow company licensed by the Department of Public Safety, or any aircraft towed by a Fixed-Base Operator licensed by ADOT Aeronautics Division.
- D. Any person affected by a decision made within the Aeronautics Division pursuant to this Chapter may request a hearing before the Director of Aeronautics. The person shall request such a hearing in writing to the Division Director not more than 30 days after the action of the Aeronautics Division. Except for the modification of the time limits provided in this Section, the hearing shall be held in accordance with A.R.S. Title 41, Chapter 6, Article 6.

Historical Note

Adopted effective March 17, 1995 (Supp. 95-1).